

ORIGINAL

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

MAY - 4 2021

By: JAMES N. HATTEN, Clerk  
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

AARON CHRISTOPHER WILLIAM  
COLE A/K/A WILLIAM AARON  
COLE

Criminal Indictment

No. **1:21-CR-177**

THE GRAND JURY CHARGES THAT:

**Count One**  
**(General Conspiracy - 18 U.S.C. § 371)**

Beginning at least from on or about April 12, 2018, and continuing through at least on or about August 26, 2019, in the Northern District of Georgia and elsewhere, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as "William Aaron Cole," and others unknown to the grand jury, knowingly and willfully conspired, agreed and had a tacit understanding with one another, to knowingly cause a false representation to be made with respect to information required to be kept in the records of a federal firearms licensee, licensed under Chapter 44 of Title 18, United States Code, an offense against the United States, in violation of Title 18, United States Code, Section 924(a)(1)(A).

**Manner and Means**

The manner and means used to accomplish the objectives of the conspiracy included, among other means, the following:

1. The defendant, AARON CHRISTOPHER WILLIAM COLE, also known as “William Aaron Cole,” and others unknown to the grand jury, obtained firearms from federal firearms licensees (“FFLs”) that they transported, and caused to be transported, to the United States Virgin Islands (“USVI”).
2. COLE completed an ATF Form 4473 at the time of the purchase of the firearms. ATF Form 4473 is the official firearms transaction record for intrastate, over-the-counter sales, and dispositions of firearms, which must be maintained by federally licensed firearms dealers.
3. COLE falsely represented in the ATF Form 4473, completed at the time of the firearms purchase, that he was the actual transferee and buyer of the firearms.
4. COLE also falsely represented in the ATF Form 4473, completed at the time of the firearms purchase, that he resided at the address listed on the form.
5. After acquiring the firearms, COLE, and others unknown to the grand jury, caused firearms and ammunition to be transported from the Northern District of Georgia, and elsewhere, to the USVI by common carriers, that is, United States mail carriers and airlines, without declaring the firearms and ammunition to the carrier as required by law.
6. COLE was not licensed as an importer, manufacturer, dealer, and collector of firearms, within the meaning of Chapter 44, Title 18, United States Code.

### **Overt Acts**

In furtherance of the conspiracy, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as "William Aaron Cole," and others unknown to the grand jury, committed at least one of the following overt acts:

1. On or about April 12, 2018, COLE purchased six (6) Glock, model 22 , .40 caliber pistols from GT Distributors, an FFL located in Rossville, Georgia; at the time of the purchase, COLE completed an ATF Form 4473, in which he falsely represented that he was the actual transferee and buyer of the firearms.
2. On or about April 25, 2018, COLE purchased a Diamondback, model DB9, nine-millimeter pistol from Autrey's Amory, an FFL located in Fayetteville, Georgia; at the time of the purchase, COLE completed an ATF Form 4473, in which he represented that he was a resident of Georgia.
3. The next day, on or about April 26, 2018, COLE purchased an SAR, model B69, nine-millimeter pistol from Advanced Firearms, an FFL located in Margate, Florida; at the time of the purchase, COLE completed an ATF Form 4473, in which he falsely represented that he was a resident of Florida.
4. On or about February 9, 2019, COLE purchased two (2) Glock, model 22, .40 caliber pistols from GT Distributors; at the time of the purchase, COLE completed an ATF Form 4473, in which he falsely represented that he was the actual transferee and buyer of the firearms.

5. On or about February 26, 2019, COLE, and others unknown to the grand jury, caused a parcel of mail to be addressed from “Darrell Raines, 2186 Glendale Drive, Decatur, Georgia to Willie Thomson, Harbor View Apartments, Bldg 16, Apt 194, Christiansted, St. Croix, United States Virgin Islands.”
6. The February 26, 2019, parcel contained one (1) Glock .40 caliber magazine, one (1) Glock nine-millimeter magazine, and two (2) Glock lower receivers, one of which had been purchased on or about February 9, 2019.
7. On or about February 26, 2019, COLE, and others unknown to the grand jury, caused this parcel to be delivered to the United States Postal Service for shipment to the USVI, without notifying the United States Postal Service that the package contained firearms, thereby preventing the required filing of a Shipper’s Export Declaration (Electronic Export Information (“EEI”)) through the Automated Export System.
8. On or about April 7, 2019, COLE, and an individual unknown to the grand jury, traveled to Weston Arms Shooting Sports, an FFL located in Davie, Florida, where COLE purchased one (1) Stoeger, model Cougar, .40 caliber pistol; at the time of the purchase, COLE completed an ATF Form 4473, in which he falsely represented that he was the actual transferee and buyer of the firearm.
9. On or about May 15, 2019, COLE purchased one (1) ATI, model Omini Hybrid Maxx, 5.56 caliber pistol from Sons of Grant’s Pawn Shop, an FFL located in Dalton, Georgia; at the time of the purchase, COLE completed

an ATF Form 4473, in which he falsely represented that he was a resident of Georgia.

10. On or about July 24, 2019, COLE purchased one (1) Glock, model 22, .40 caliber pistol from Advanced Firearms, an FFL located in Margate, Florida.
11. On or about July 25, 2019, COLE purchased two (2) Glock, model 22, .40 caliber firearms from Gun World of South Florida, Inc., an FFL located in Deerfield Beach, Florida; at the time of the purchase, COLE falsely represented that he was the actual transferee and buyer of the firearms and he falsely represented that he resided at 2905 NW 116th Terrace in Coral Springs, Florida, when, in fact, he resided at 861 NW 85th Terrace, Apartment 1805, in Plantation, Florida.
12. On or about July 26, 2019, COLE traveled from Miami, Florida, to St. Croix, USVI, on American Airlines and declared a firearm; but COLE did not declare a firearm on his return flight.
13. On or about August 6, 2019, COLE purchased three (3) Glock, model 22, .40 caliber pistols from Weston Arms Shooting Sports in Davie Florida; at the time of the purchase, COLE completed an ATF Form 4473 in which he falsely represented that he was the actual transferee and buyer of the firearms and falsely represented that he resided at 2905 NW 116th Terrace, Coral Springs, Florida, when, in fact, he resided at 861 NW 85th Terrace, Apartment 1805, in Plantation, Florida.

14. On or about August 12, 2019, COLE traveled from Ft. Lauderdale, Florida, to St. Croix, USVI, aboard Spirit Airlines and declared a firearm; but COLE did not declare a firearm on his return flight.
15. On or about August 19, 2019, COLE, and an individual whose identity is unknown to the grand jury, traveled to Weston Arms Shooting Sports in Davie, Florida, to purchase firearms; COLE completed an ATF Form 4473, in which he falsely represented that he was the actual transferee and buyer of the firearms.
16. Two days later, on or about August 22, 2019, COLE returned to Weston Arms Shooting Sport to purchase the firearms, that is, four (4) Glock, model 22, .40 caliber pistols; at the time of the purchase, COLE completed a an ATF Form 4473, in which he falsely represented that he was the actual buyer of the firearms; but staff of the FFL informed COLE that his background check for the firearms purchase had been delayed.
17. On or about August 24, 2019, COLE returned to Weston Arms Shooting Sports to complete the firearms purchase but was again informed that his background check for the purchase had been delayed.
18. On or about August 26, 2019, COLE traveled to an airport in Fort Lauderdale, Florida, to travel by Spirit Airline to St. Croix, USVI, with checked luggage containing ammunition and two firearms, that is, one (1) Glock, model 22, .40 caliber firearm, and one (1) Sig Sauer, model P365, 9mm pistol.

19. On or about August 26, 2019, COLE and others not known to the grand jury, prevented the filing of a Shipper's Export Declaration through the Automated Export System, in that COLE failed to declare that firearms and firearms parts were contained in the shipment from the United States to the USVI.

All in violation of Title 18, United States Code, Section 371.

**Count Two**

**(Unlawful Dealing in Firearms without a license – 18 U.S.C. § 922(a)(1)(A))**

1. Paragraphs One through Six of the "Manner and Means" Section, and Paragraphs One through Nineteen of the "Overt Acts" Section, of Count One of this Indictment, are re-alleged and incorporated by reference herein.

2. Beginning on or about April 12, 2018, and continuing through on or about August 26, 2019, in the Northern District of Georgia and elsewhere, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as "William Aaron Cole," and other persons unknown to the Grand Jury, aided and abetted by one another, willfully engaged in the business of dealing in firearms without a license, all in violation of Title 18, United States Code, Section 922(a)(1)(A), and Section 2.

**Count Three**

**(Unlicensed Transfer of Firearm to Nonresident – 18 U.S.C. § 922(a)(5))**

Between on or about February 9, 2019, through on or about March 1, 2019, in the Northern District of Georgia and elsewhere, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as "William Aaron Cole," not being a licensed importer, manufacturer, dealer, and collector of firearms, within

the meaning of Chapter 44, Title 18, United States Code, and other persons unknown to the Grand Jury, aided and abetted by one another, did knowingly and willfully transfer, sell, trade, give, transport and deliver to a person in the United States Virgin Islands, at least one of the following firearms, that is, two (2) Glock, model 22, .40 caliber pistols, knowing, and with reasonable cause to believe, that the person was not then residing in the State of Georgia, the state in which the defendant was residing at the time of the transfer, transfer, sale, trade, giving, transportation, and delivery of the firearm(s), in violation of Title 18, United States Code, Sections 922(a)(5) and 924(a)(1)(D), and Section 2.

#### **Counts Four through Five**

##### **(False Statement to Federal Firearms Licensee - 18 U.S.C. § 924(a)(1)(A))**

On or about the date alleged in Column B below, in the Northern District of Georgia, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as "William Aaron Cole," and other persons unknown to the Grand Jury, aided and abetted by one another, did knowingly make a false representation with respect to information required to be kept in the records of a federal firearms licensee, licensed under Chapter 44 of Title 18, United States Code, that is, GT Distributors, located on McFarland Avenue in Rossville, Georgia, in connection with the acquisition of at least one of the corresponding firearms described in Column C below, that is:

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
<b>Count</b>	<b>Date</b>	<b>Firearm(s)</b>
Four	April 12, 2018	Six (6) Glock, model 22, .40 caliber firearms.



Five	February 9, 2019	Two (2) Glock, model 22, .40 caliber firearms.
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in that the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as “William Aaron Cole,” did falsely represent on a Firearms Transaction Record, ATF Form 4473, that he was the actual transferee/buyer of the firearm(s) when in fact, as then knew, he was not the actual transferee/buyer of the firearm(s), all in violation of Title 18, United States Code, Section 924(a)(1)(A), and Section 2.

### **Forfeiture**

Upon conviction of one or more of the offenses alleged in Counts One through Five of this Indictment, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as “William Aaron Cole,” shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in or used in the commission of the offenses, including the following:

- One (1) Glock, model 22, .40 caliber lower receiver, serial number LCS967;
- One (1) Glock, model 26, nine-millimeter lower receiver, serial number TVG772;
- One (1) Sig Sauer, model 367, nine-millimeter pistol, serial number 66A373105; and
- One (1) Glock, model 22, .40 caliber pistol, serial number TFC029.

Additionally, upon conviction of one or more of the offenses alleged in this Indictment, the defendant, AARON CHRISTOPHER WILLIAM COLE, also known as “William Aaron Cole,” shall forfeit to the United States pursuant to

Title 18, United States Code, Section 3665, all firearms under the immediate control of the defendant at the time of his arrest.

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the forfeitable property described above.

All pursuant to Title 21, United States Code, Section 853; Title 18, United States Code, Section 924(d); and Title, 28, United States Code, Section 2461(c).

A True BILL

Debbion T. Brunson  
FOREPERSON

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